

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2007-0938-AIR-E **TCEQ ID:** RN100210319 **CASE NO.:** 33797
RESPONDENT NAME: Equistar Chemicals, LP

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Equistar Chemicals La Porte Complex, 1515 Miller Cut Off Road, La Porte, Harris County</p> <p>TYPE OF OPERATION: Chemical plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are three pending enforcement actions regarding this facility location, Docket Nos. 2007-0519-AIR-E, 2007-1333-AIR-E, and 2007-1715-AIR-E.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on January 22, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p>TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768</p> <p>TCEQ Enforcement Coordinator: Ms. Miriam Hall, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-1044; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171</p> <p>Respondent: Mr. Philip Nangle, Senior Environmental Engineer, Equistar Chemicals, LP, 1515 Miller Cut Off Road, Deer Park, Texas 77536</p> <p>Mr. Marcus W. Gaddy, Plant Manager, Equistar Chemicals, LP, 1515 Miller Cut Off Road, Deer Park, Texas 77536</p> <p>Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: April 20, 2006 and April 13, 2007</p> <p>Date of NOV/NOE Relating to this Case: May 9, 2007 and May 30, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation and a routine records review.</p> <p>AIR</p> <p>1) Failed to control unauthorized emissions on December 13, 2005 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), Permit No. 18978/PSD-TX-752M3, Special Condition ("SC") No. 1, TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failed to control unauthorized emissions on March 4, 2007 [30 TEX. ADMIN. CODE §§ 115.722(c)(1), 116.115(c), Permit No. 4477, SC No. 1, TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$50,000</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$25,000</p> <p>Total Paid to General Revenue: \$25,000</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification:</p> <p>Unauthorized emissions which are excessive emissions events.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant for the December 13, 2005 incident:</p> <p>a. On March 20, 2006, modified the unit start-up procedure to prevent blocked-in and contained ethylene in PSV piping;</p> <p>b. On March 25, 2006, added pipe supports to eliminate excessive vibration and performed liquid penetrant inspection on similarly designed tie-in points of thermal relief valves on the feed and product lines;</p> <p>c. On December 13, 2006, reviewed and revised the unit process hazard analysis/relief valve sizing to verify adequate sizing of relief valves and shared incident findings and hazard recognitions with all operation shifts; and</p> <p>d. On July 2, 2007, submitted a Corrective Action Plan to the TCEQ Houston Regional Office which was approved on August 28, 2007. The plan had been completed before it was approved.</p> <p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP). (See Attachment A)</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices that address the causes leading to the March 4, 2007 emissions event and are designed to prevent recurrence of same or similar incidents; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 2.a.</p>

Additional ID No(s): HG0770G

Attachment A
Docket Number: 2007-0938-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: Equistar Chemicals, LP

Payable Penalty Amount: Fifty Thousand Dollars (\$50,000)

SEP Amount: Twenty-Five Thousand Dollars (\$25,000)

Type of SEP: Pre-approved

Third-Party Recipient: Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program

Location of SEP: Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*.

SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision May 25, 2007

TCEQ

DATES

Assigned

14-May-2007

PCW

12-Jun-2007

Screening

12-Jun-2007

EPA Due

5-Feb-2008

RESPONDENT/FACILITY INFORMATION

Respondent Equistar Chemicals, LP

Reg. Ent. Ref. No. RN100210319

Facility/Site Region 12-Houston

Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 33797

Docket No. 2007-0938-AIR-E

Media Program(s) Air

Multi-Media

No. of Violations 5

Order Type Findings

Enf. Coordinator Miriam Hall

EC's Team Enforcement Team 4

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$20,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

308% Enhancement

Subtotals 2, 3, & 7

\$61,600

Notes

Penalty was enhanced for 29 similar NOV's, 40 other NOV's, three 1660 orders, and one Findings order. The penalty was reduced for two Notices of Audit.

Culpability

No

0% Enhancement

Subtotal 4 \$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

0%

Reduction

Subtotal 5 \$0

Before NOV

NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes

The Respondent does not meet the good faith criteria.

0% Enhancement*

Subtotal 6 \$0

Total EB Amounts \$2,378
Approx. Cost of Compliance \$34,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal \$81,600

OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Adjustment

\$0

Notes

Final Penalty Amount

\$81,600

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$50,000

DEFERRAL

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

0%

Reduction

Adjustment

\$0

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY

\$50,000

Screening Date 12-Jun-2007

Docket No. 2007-0938-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33797

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN100210319

Media [Statute] Air

Enf. Coordinator Miriam Hall

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component Number of... Enter Number Here Adjust.

NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	29	145%
	Other written NOVs	40	80%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	1	25%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 308%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Penalty was enhanced for 29 similar NOVs, 40 other NOVs, three 1860 orders, and one Findings order. The penalty was reduced for two Notices of Audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 308%

Screening Date 12-Jun-2007 Respondent Equistar Chemicals, LP Case ID No. 33797 Reg. Ent. Reference No. RN100210319 Media [Statute] Air Enf. Coordinator Miriam Hall Violation Number <input type="text" value="1"/>	Docket No. 2007-0938-AIR-E PCW <i>Policy Revision 2 (September 2002)</i> <i>PCW Revision May 25, 2007</i>																				
Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), Permit No. 18978/PSD-TX-752M3, Special Condition ("SC") No. 1, Tex. Health & Safety Code § 382.085(b)																					
Violation Description Failed to control unauthorized emissions of volatile organic compounds ("VOC") on December 13, 2005. Specifically, Equistar failed to prevent excessive vibration and the rupture of pressure safety valve ("PSV") inlet piping which was connected to an associated header line in the Olefins Manufacturing Unit. The piping failure resulted in the total release of 12,881 pounds ("lbs") of VOC, including 9,900 lbs of ethylene from ruptured piping and 2,981 lbs of VOC from the main elevated flare during an event that lasted two hours. It was determined that this release was an excessive emissions event; therefore, the affirmative defense in 30 Tex. Admin. Code § 101.222 is not applicable.																					
Base Penalty <input type="text" value="\$10,000"/>																					
>> Environmental, Property and Human Health Matrix																					
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 20%;">Major</th> <th style="width: 20%;">Moderate</th> <th style="width: 20%;">Minor</th> <th style="width: 30%;"></th> </tr> </thead> <tbody> <tr> <td>Release</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Actual</td> <td style="text-align: center;">x</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">Percent <input type="text" value="100%"/></p>		Major	Moderate	Minor		Release					Actual	x				Potential				
	Major	Moderate	Minor																		
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	Major	Moderate	Minor																		
Falsification																					
Matrix Notes	<div style="border: 1px solid black; padding: 5px;">Human health or the environment has been exposed to significant emissions which exceed levels that are protective of human health or environmental receptors as a result of this violation.</div>																				
Adjustment <input type="text" value="\$0"/>																					
<input type="text" value="\$10,000"/>																					
Violation Events																					
<table style="width: 100%;"> <tr> <td style="width: 50%;"> Number of Violation Events <input type="text" value="1"/> </td> <td style="width: 50%;"> Number of violation days <input type="text" value="1"/> </td> </tr> </table>		Number of Violation Events <input type="text" value="1"/>	Number of violation days <input type="text" value="1"/>																		
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Violation Base Penalty <input type="text" value="\$10,000"/>																					
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;">One single event was documented.</div>																					
Economic Benefit (EB) for this violation																					
Statutory Limit Test																					
Estimated EB Amount <input type="text" value="\$2,271"/>	Violation Final Penalty Total <input type="text" value="\$40,800"/>																				
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$10,000"/>																					

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 33797
Reg. Ent. Reference No. RN100210319
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment	\$30,000	13-Dec-2005	13-Dec-2006	1.0	\$100	\$2,000	\$2,100
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	13-Dec-2005	28-Aug-2007	1.7	\$171	n/a	\$171

Notes for DELAYED costs

The "Equipment" cost is the estimated cost of adding pipe supports, conducting liquid penetrant inspections, and taking other completed corrective actions. The "Other" costs are the cost of submitting a Corrective Action Plan. The "Date Required" is the date of the violation, and the "Final Date" is the date actions were completed and/or approved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$32,000

TOTAL

\$2,271

Screening Date 12-Jun-2007

Docket No. 2007-0938-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33797

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN100210319

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), Permit No. 18978/PSD-TX-752M3, SC No. 1, Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to control unauthorized carbon monoxide ("CO") emissions on December 13, 2005. Specifically, Equistar failed to prevent excessive vibration and the rupture of PSV inlet piping which was connected to an associated header line in the Olefins Manufacturing Unit. The piping failure resulted in the release of 8,368 lbs of CO from the main elevated flare during an event that lasted two hours. It was determined that this release was an excessive emissions event; therefore, the affirmative defense in 30 Tex. Admin. Code § 101.222 is not applicable.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$2,500

One single event was documented.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$10,200

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet**Respondent** Equistar Chemicals, LP**Case ID No.** 33797**Reg. Ent. Reference No.** RN100210319**Media Air****Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The economic benefit is included in Violation No. 1.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Screening Date 12-Jun-2007

Docket No. 2007-0938-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33797

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN100210319

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(c), Permit No. 18978/PSD-TX-752M3, SC No. 1, Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to control unauthorized nitrogen oxides ("NO_x") emissions on December 13, 2005. Specifically, Equistar failed to prevent excessive vibration and the rupture of PSV inlet piping which was connected to an associated header line in the Olefins Manufacturing Unit. The piping failure resulted in the release of 1,610 lbs of NO_x from the main elevated flare during an event that lasted two hours. It was determined that this release was an excessive emissions event; therefore, the affirmative defense in 30 Tex. Admin. Code § 101.222 is not applicable.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$2,500

One single event was documented.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$10,200

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet**Respondent** Equistar Chemicals, LP**Case ID No.** 33797**Reg. Ent. Reference No.** RN100210319**Media** Air**Violation No.** 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The economic benefit is included in Violation No. 1.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance TOTAL

Screening Date 12-Jun-2007

Docket No. 2007-0938-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33797

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN100210319

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code §§ 115.722(c)(1), 116.115(c), Permit No. 4477, SC No. 1, Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to control unauthorized VOC emissions on March 4, 2007. Specifically, Equistar failed to prevent secondary compressor cylinder vibration at the AB-III Polyethylene Unit which led to the compressor shutdown and the unauthorized emissions of 1,284.48 lbs of VOC, including 1,201.32 lbs of ethylene, 18.39 lbs of propylene and 64.77 lbs of vinyltrimethoxysilane from reactor vents during an event which lasted 27 minutes. Equistar also exceeded the one-hour highly-reactive VOC ("HRVOC") emission cap of 1,200 lbs when 1,219.71 lbs of ethylene and propylene, both HRVOC, were released in 27 minutes. Equistar failed to identify the underlying cause or contributing factors leading up to the emissions event. Equistar failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 because it could not be determined whether the event was unavoidable.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	X

Violation Base Penalty \$2,500

One single event was documented.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$108

Violation Final Penalty Total \$10,200

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP

Case ID No. 33797

Reg. Ent. Reference No. RN100210319

Media Air

Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	4-Mar-2007	31-Mar-2008	1.1	\$108	n/a	\$108

Notes for DELAYED costs

The estimated cost of taking corrective measures from the violation date to projected completion date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$108

Screening Date 12-Jun-2007

Docket No. 2007-0938-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 33797

PCW Revision May 25, 2007

Reg. Ent. Reference No. RN100210319

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 5

Rule Cite(s) 30 Tex. Admin. Code §§ 115.722(c)(1), 116.115(c), Permit No. 4477, SC No. 1, Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to control unauthorized emissions on March 4, 2007. Specifically, Equistar failed to prevent secondary compressor cylinder vibration at the AB-III Polyethylene Unit which led to the compressor shutdown and the unauthorized emissions of 124.56 lbs of particulate matter, from reactor vents during an event which lasted 27 minutes. Equistar failed to identify the underlying cause or contributing factors leading up to the emissions event. Equistar failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 because it could not be determined whether the event was unavoidable.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event was documented.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$10,200

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent Equistar Chemicals, LP
Case ID No. 33797
Reg. Ent. Reference No. RN100210319
Media Air
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The economic benefit is included in Violation No. 4.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$0

TOTAL \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600124705	Equistar Chemicals, LP	Classification: AVERAGE	Rating: 2.55
Regulated Entity:	RN100210319	EQUISTAR CHEMICALS LA PORTE COMPLEX	Classification: AVERAGE	Site Rating: 1.90
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HG0770G	
	AIR OPERATING PERMITS	PERMIT	1606	
	AIR OPERATING PERMITS	PERMIT	2223	
	AIR OPERATING PERMITS	PERMIT	2224	
	AIR OPERATING PERMITS	PERMIT	2225	
	AIR OPERATING PERMITS	PERMIT	2226	
	AIR OPERATING PERMITS	PERMIT	51737	
	WASTEWATER	PERMIT	WQ0004013000	
	WASTEWATER	PERMIT	TPDES0119792	
	WASTEWATER	PERMIT	TX0119792	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1012680	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000025809	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	85436	
	AIR NEW SOURCE PERMITS	PERMIT	19109	
	AIR NEW SOURCE PERMITS	PERMIT	4477	
	AIR NEW SOURCE PERMITS	PERMIT	5226	
	AIR NEW SOURCE PERMITS	PERMIT	5836	
	AIR NEW SOURCE PERMITS	PERMIT	18978	
	AIR NEW SOURCE PERMITS	PERMIT	19501	
	AIR NEW SOURCE PERMITS	PERMIT	20534	
	AIR NEW SOURCE PERMITS	PERMIT	22043	
	AIR NEW SOURCE PERMITS	PERMIT	39143	
	AIR NEW SOURCE PERMITS	PERMIT	38605	
	AIR NEW SOURCE PERMITS	PERMIT	40078	
	AIR NEW SOURCE PERMITS	PERMIT	42576	
	AIR NEW SOURCE PERMITS	PERMIT	42401	
	AIR NEW SOURCE PERMITS	PERMIT	43676	
	AIR NEW SOURCE PERMITS	PERMIT	45099	
	AIR NEW SOURCE PERMITS	PERMIT	46127	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0770G	
	AIR NEW SOURCE PERMITS	AFS NUM	4820100055	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX752	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX818	
	AIR NEW SOURCE PERMITS	PERMIT	42349	
	AIR NEW SOURCE PERMITS	REGISTRATION	70535	
	AIR NEW SOURCE PERMITS	PERMIT	49122	
	AIR NEW SOURCE PERMITS	PERMIT	53934	
	AIR NEW SOURCE PERMITS	PERMIT	53387	
	AIR NEW SOURCE PERMITS	REGISTRATION	74666	
	AIR NEW SOURCE PERMITS	REGISTRATION	74778	
	AIR NEW SOURCE PERMITS	REGISTRATION	76465	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX752M3	
	AIR NEW SOURCE PERMITS	REGISTRATION	77716	
	AIR NEW SOURCE PERMITS	REGISTRATION	77957	
	AIR NEW SOURCE PERMITS	REGISTRATION	78470	
	AIR NEW SOURCE PERMITS	REGISTRATION	78947	
	AIR NEW SOURCE PERMITS	REGISTRATION	79239	
	WATER LICENSING	LICENSE	1012680	
	STORMWATER	PERMIT	TXR05N516	
	INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50383	
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	50383	
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	85436	
	IHW CORRECTIVE ACTION	PERMIT	50383	
Location:	1515 MILLER CUT OFF RD, LA PORTE, TX, 77571		Rating Date: September 01 06 Repeat Violator: NO	
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	July 09, 2007			

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 09, 2002 to July 09, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Miriam Hall Phone: (512) 239-1044

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgments, and consent decrees of the state of Texas and the federal government.

Effective Date: 03/31/2003

ADMINORDER 2002-0863-AIR-E (1660)

Classification: Minor

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Allow unauthorized emissions by failing to re-open a control valve after maintenance, resulting in upset emissions of 13,554 lbs of ethylene, 743 lbs of carbon monoxide, and 144 lbs of nitrogen oxides.

Effective Date: 01/08/2004

ADMINORDER 2003-0630-AIR-E (1660)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the authorized emission limits on the initial and final emission events reports.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Failure to control emission of air contaminants as provided in General Condition No. 8 and Special Condition No. 1 of TCEQ Air Permit No. 18978.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT DDD 60.562-1(e)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to car-seal close the valve on the waste gas stream line to the incinerator which has the potential to bleed a 2-foot section of pipe between the valves to the atmosphere.

Effective Date: 04/05/2004

ADMINORDER 2003-0117-IWD-E (1660)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with permitted effluent limits at Outfall 003.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Not specified PERMIT

Description: Failed to report, in writing, effluent violations deviating from permitted limits by more than 40% within five days of becoming aware of the violations.

Effective Date: 12/02/2006

ADMINORDER 2006-0295-AIR-E (Findings)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: No.18978, Special Condition No. 1 PERMIT

Description: Equistar failed to maintain an emission rate below the allowable emission limits.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	07/24/2002	(235417)
2	07/31/2002	(4126)
3	08/08/2002	(2987)
4	08/14/2002	(5893)
5	08/21/2002	(235421)
6	08/21/2002	(8492)
7	08/21/2002	(8495)
8	08/21/2002	(8503)
9	08/30/2002	(8506)
10	08/30/2002	(2742)
11	09/19/2002	(235424)
12	10/21/2002	(235427)
13	11/25/2002	(235430)
14	11/26/2002	(12901)
15	12/10/2002	(5090)
16	12/27/2002	(16448)
17	12/27/2002	(20265)
18	12/27/2002	(235433)
19	01/02/2003	(18810)
20	01/06/2003	(247625)
21	01/23/2003	(IE0018474001004
22	01/24/2003	(19888)
23	01/24/2003	(235436)
24	02/20/2003	(235399)
25	02/28/2003	(9857)
26	03/14/2003	(21929)
27	03/14/2003	(22326)
28	03/22/2003	(327908)
29	03/24/2003	(235402)
30	03/31/2003	(29709)
31	04/01/2003	(23726)
32	04/04/2003	(247626)
33	04/22/2003	(235418)
34	04/22/2003	(235405)
35	05/22/2003	(235409)
36	06/24/2003	(235414)
37	06/27/2003	(35753)
38	08/25/2003	(327913)
39	08/29/2003	(149537)
40	09/22/2003	(327914)
41	10/21/2003	(327915)
42	10/22/2003	(252907)
43	11/05/2003	(249524)
44	11/25/2003	(327916)
45	12/29/2003	(327917)
46	02/24/2004	(327907)
47	03/11/2004	(260161)
48	04/05/2004	(253748)
49	04/13/2004	(333148)
50	04/22/2004	(327909)
51	04/22/2004	(327912)
52	04/28/2004	(327918)
53	05/24/2004	(327910)
54	06/16/2004	(272074)
55	06/16/2004	(271984)
56	06/21/2004	(327911)
57	07/01/2004	(333149)
58	07/12/2004	(271763)
59	08/13/2004	(250482)
60	08/16/2004	(367337)
61	08/16/2004	(367341)
62	08/26/2004	(254149)
63	08/27/2004	(250439)
64	08/31/2004	(290544)
65	08/31/2004	(272519)
66	08/31/2004	(270004)
67	08/31/2004	(271406)
68	08/31/2004	(270110)

69	08/31/2004	(273293)
70	08/31/2004	(280376)
71	09/23/2004	(367338)
72	10/18/2004	(335439)
73	10/20/2004	(367339)
74	10/25/2004	(291882)
75	10/26/2004	(336354)
76	10/31/2004	(288355)
77	11/11/2004	(290530)
78	11/12/2004	(338008)
79	11/29/2004	(367340)
80	12/10/2004	(253708)
81	12/10/2004	(276453)
82	12/10/2004	(285085)
83	12/13/2004	(291053)
84	12/20/2004	(339171)
85	12/20/2004	(285304)
86	12/21/2004	(289537)
87	12/21/2004	(284737)
88	12/21/2004	(338825)
89	12/21/2004	(338830)
90	12/21/2004	(289814)
91	12/21/2004	(287807)
92	12/22/2004	(340087)
93	12/22/2004	(340088)
94	12/22/2004	(340090)
95	12/22/2004	(272306)
96	12/27/2004	(338823)
97	12/27/2004	(338826)
98	12/27/2004	(390239)
99	12/28/2004	(288900)
100	12/28/2004	(274165)
101	12/28/2004	(340085)
102	12/28/2004	(275757)
103	12/28/2004	(287579)
104	12/28/2004	(342437)
105	12/28/2004	(275765)
106	12/30/2004	(339169)
107	12/31/2004	(339170)
108	01/04/2005	(275598)
109	01/05/2005	(342314)
110	01/05/2005	(288752)
111	01/06/2005	(286945)
112	01/06/2005	(346266)
113	01/07/2005	(345093)
114	01/07/2005	(340854)
115	01/10/2005	(275036)
116	01/26/2005	(347775)
117	02/14/2005	(345107)
118	02/14/2005	(345108)
119	02/14/2005	(345109)
120	02/23/2005	(390238)
121	02/25/2005	(347533)
122	02/25/2005	(347508)
123	02/28/2005	(350647)
124	03/16/2005	(372522)
125	03/18/2005	(372086)
126	03/21/2005	(427694)
127	03/31/2005	(348992)
128	04/20/2005	(350846)
129	04/22/2005	(348993)
130	04/25/2005	(427695)
131	04/25/2005	(427698)
132	04/27/2005	(377666)
133	05/02/2005	(379027)
134	05/02/2005	(379023)
135	05/02/2005	(379025)
136	05/11/2005	(378796)

137	05/11/2005	(380586)
138	05/24/2005	(427696)
139	06/16/2005	(371763)
140	06/23/2005	(427697)
141	07/06/2005	(398300)
142	07/08/2005	(397169)
143	07/08/2005	(397159)
144	07/08/2005	(397164)
145	07/29/2005	(400016)
146	07/29/2005	(402225)
147	08/03/2005	(402565)
148	08/08/2005	(404125)
149	08/09/2005	(402106)
150	08/10/2005	(404030)
151	08/19/2005	(404431)
152	08/23/2005	(404501)
153	08/23/2005	(447751)
154	08/24/2005	(405380)
155	08/24/2005	(392722)
156	08/25/2005	(405740)
157	08/30/2005	(404242)
158	09/14/2005	(431715)
159	09/21/2005	(431539)
160	09/23/2005	(447752)
161	10/26/2005	(492909)
162	10/26/2005	(492906)
163	11/21/2005	(435080)
164	11/21/2005	(433841)
165	11/28/2005	(492907)
166	12/21/2005	(492908)
167	01/20/2006	(439064)
168	01/20/2006	(439066)
169	01/26/2006	(431992)
170	02/02/2006	(439522)
171	02/02/2006	(439633)
172	02/02/2006	(439295)
173	02/15/2006	(439561)
174	02/21/2006	(453963)
175	02/22/2006	(432284)
176	02/22/2006	(492904)
177	02/23/2006	(455883)
178	02/24/2006	(451235)
179	02/25/2006	(456913)
180	02/28/2006	(456463)
181	02/28/2006	(457167)
182	02/28/2006	(457026)
183	03/08/2006	(454488)
184	03/13/2006	(458226)
185	03/16/2006	(454636)
186	03/16/2006	(454029)
187	03/16/2006	(454588)
188	03/16/2006	(455964)
189	03/23/2006	(492905)
190	04/19/2006	(462735)
191	04/24/2006	(506468)
192	04/26/2006	(455073)
193	05/25/2006	(506469)
194	05/25/2006	(463280)
195	05/26/2006	(467379)
196	05/26/2006	(467396)
197	05/26/2006	(467382)
198	05/26/2006	(467363)
199	05/26/2006	(467391)
200	05/26/2006	(467375)
201	05/31/2006	(466933)
202	06/21/2006	(462913)
203	06/21/2006	(481795)
204	06/22/2006	(483443)

205	06/26/2006	(506470)
206	06/27/2006	(455405)
207	06/27/2006	(455404)
208	06/29/2006	(484570)
209	06/30/2006	(483762)
210	07/11/2006	(484826)
211	07/14/2006	(486946)
212	07/17/2006	(485587)
213	07/17/2006	(485923)
214	07/19/2006	(506471)
215	08/07/2006	(345081)
216	08/08/2006	(485874)
217	08/09/2006	(490279)
218	08/11/2006	(467626)
219	08/11/2006	(467635)
220	08/18/2006	(528685)
221	08/23/2006	(458894)
222	09/05/2006	(488651)
223	09/05/2006	(488631)
224	09/08/2006	(497595)
225	09/19/2006	(528686)
226	09/19/2006	(528687)
227	10/20/2006	(516566)
228	10/20/2006	(516554)
229	10/20/2006	(516121)
230	10/31/2006	(517252)
231	11/16/2006	(519602)
232	11/17/2006	(516921)
233	11/20/2006	(514502)
234	11/20/2006	(551952)
235	12/11/2006	(531680)
236	12/13/2006	(533373)
237	12/18/2006	(517871)
238	12/20/2006	(551953)
239	01/19/2007	(551954)
240	01/19/2007	(531635)
241	01/26/2007	(535998)
242	02/05/2007	(531641)
243	02/16/2007	(532610)
244	02/20/2007	(536017)
245	02/20/2007	(551951)
246	02/26/2007	(532609)
247	03/05/2007	(542456)
248	03/20/2007	(536006)
249	03/20/2007	(532775)
250	04/05/2007	(542368)
251	04/05/2007	(542369)
252	04/05/2007	(542370)
253	04/12/2007	(554892)
254	04/12/2007	(532611)
255	05/11/2007	(462772)
256	05/14/2007	(534972)
257	05/15/2007	(558701)
258	05/31/2007	(561392)
259	06/01/2007	(554895)
260	07/09/2007	(532634)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 07/31/2002 (235421)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2002 (235424)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 09/30/2002 (235427)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 11/30/2002 (235433)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/31/2002 (235436)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/06/2003 (247625)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 01/23/2003 (19888)
 Self Report? NO Classification: Moderate
 Rqmt Prov: OP 04013-000
 Description: Failure to meet permitted effluent limits for TSS Daily Average, and Chlorine Residual.
 Date: 01/31/2003 (235399)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2003 (235402)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/28/2003 (9857)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 Description: Failure to operate the Thermal Oxidizer at 1500°F and 98% emission control efficiency as represented in the Permit Application
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.356(1)(F)
 Description: Failure to maintain the record of calibration of fugitive monitoring instrument.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)(i)
 Description: Failure to maintain the visible emission inspection records for 8 days during the years 2001 and 2002.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.8(a)
 Description: Failure to obtain the representative samples during the cooling tower monitoring.
 Date: 03/31/2003 (235405)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/04/2003 (247626)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 04/30/2003 (235409)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/31/2003 (235414)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 06/30/2003 (235418)

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/31/2003 (327913)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2003 (327914)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2003 (327916)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	02/29/2004 (327908)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	03/31/2004 (327909)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	04/05/2004 (253748)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 18978, Special Condition No. 1		
Description:	Equistar exceeded VOC permit limits during an emissions event.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(4)		
Description:	Equistar failed to properly report an emissions event.		
Date:	04/13/2004 (333148)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)		
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE		
Date:	04/30/2004 (327910)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	05/31/2004 (327911)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	07/01/2004 (333149)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)		
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE		
Date:	07/15/2004 (271763)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)		
Rqmt Prov:	PERMIT NSR Permit # 19109 Special Condition #11 PERMIT NSR Permit # 4477 Special Condition #7		
Description:	Failure to monitor using an approved method (Cosmo detector)		
Date:	08/13/2004 (250482)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.354(2)(C) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7[G]		

Description: failed to monitor 23 valves in ethylene service using Method 21.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
 Description: Failure to report some instances of deviations (CEMS down times & semiannual reporting) in the report dated December 15, 2003.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)(3)
 Description: Failure to submit the semiannual reports regarding continuous emissions monitoring system (CEMS) down times.
 Date: 08/31/2004 (273293)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Equistar failed to prevent pluggage of the impulse lines which resulted in a compressor shutdown which resulted in excess emissions.
 Date: 08/31/2004 (270110)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Exceeded permit limits.
 Date: 12/13/2004 (253708)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA NSR Permit No. 4477
 Description: Failed to re-calibrated the pressure transducers in the reactor system which resulted in excess emissions.
 Date: 12/13/2004 (291053)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #4477, SC #1
 Description: Failed to change the seal air filters and properly conduct maintenance on the rental compressor equipment which resulted in excess emissions.
 Date: 12/20/2004 (339171)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #5226, SC#1
 Description: Failed to maintain the normal operating pressure of the ethylene supply line causing the pressure relief valve to open which resulted in excess emissions.
 Date: 12/21/2004 (287807)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #4477, SC#1
 Description: Failed to maintain the proper liquid level in the knockout drum which resulted in excess emissions.
 Date: 12/30/2004 (338823)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit # 18978, SC #1
 Description: Failed to maintain the set screws securing the secondary seal resulting in the failure of pump 3604JB which resulted in excess emissions.
 Date: 12/31/2004 (367341)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/05/2005 (342314)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #18978, SC#4
 Description: Failed to prevent the excess O2 valve from closing which resulted in excess emissions.
 Date: 01/06/2005 (275598)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit #18978, SC#1
Description: Failed to prevent the over-pressurization of the depropanizer due to non-condensable impurities in the feed stream from an abnormal upstream process condition which resulted in excessive emissions.

Date: 03/16/2005 (372522)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit #18978, SC#1

Description: Failed to open a 12" block valve required for F9 feed in prior to placing DMS in the furnace leading to the temporary poisoning of the MA/PD reactor which resulted in excess emissions.

Date: 03/31/2005 (427695)

Self Report? YES

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)(G)

Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2005 (348992)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.421(a)(9)(A)(ii)

Description: Failed to limit the VOC emissions from surface coating facility activities in three days during certification period in the XL unit/common areas.

Date: 04/22/2005 (348993)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)

Description: Failure to represent the emissions properly in the Permit Amendment Application dated September 17, 1999.

Self Report? NO

Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

Description: Failure to monitor 11 valves in VOC service in the ABIII Units using 40 CFR part 60, Method 21

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(6)

Description: Failure to repair the pumps in VOC service in the ABIII Units within 15 days and also make the first attempt of repair within five days

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT No. 4477, S.C. No.2

OP O-02225, S.C. 11.A

Description: Failure to limit the production rates below the 31,300 lb/hr for five days during certification period in the ABIII Units.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: PERMIT No. 4477, S.C. No. 11.E

OP O-02225, S.C. No. 11.A

Description: Failure to cap or plug 38 open ended lines in the ABIII units.

Self Report? NO

Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(4)

Description: Failure to include the total number of valves and pumps to the fugitive monitoring program (revisions) in the semiannual report for the period ending June 30, 2004.

Date: 05/03/2005 (379025)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PA Permit#18978, SC #10A

Description: The CEMS were not operated in the time shared mode as required. During the RATA, the CEMS were operated in a dedicated or locked mode for the tests. The CEMS were locked on one furnace for the nine-21 minute runs.

Date: 05/03/2005 (379027)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PA Permit#18978, SC - 10A

Description: The CEMS were not operated in the time shared mode as required and were not certified. During the RATA, the CEMS were operated in a dedicated or locked mode for the tests. The CEMS were locked on one furnace for the nine-21 minute runs.

Date: 05/03/2005 (379023)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PA Permit Nos. 18978, SC No. 10A
Description: The CEMS were not operated in the time shared mode as required and were not certified. During the RATA, the CEMS were operated in a dedicated or locked mode for the tests.

Date: 05/31/2005 (427697)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 07/06/2005 (398300)
Self Report? NO Classification: Minor
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)
Description: Failure to completely seal the plug on the open ended lines resulting in excess emissions.
Date: 07/29/2005 (402225)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
Rqmt Prov: OP O-02224, SC 1.A
Description: Failure to monitor 24 valves in Volatile Organic Compound (VOC) service using Method 21.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
Description: Failure to report three instances of deviations (non reportable emissions events that occurred on January 22, January 26 and April 19, 2004) in the report dated June 21, 2004. The regulated entity submitted these deviations on September 30, 2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
Rqmt Prov: OP O-02224, SC1.A
Description: Failure to cap or plug three open ended lines and two valves at the end of the line in the utilities unit.
Date: 08/08/2005 (404125)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)
Rqmt Prov: PERMIT 18978 & PSD-TX-752M3, SC 13.F
Description: Failure to monitor 31 valves in VOC service in the olefins unit using 40 CFR part 60, Method 21 within 30 days of addition to the HRVOC Service.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
Description: Failure to represent emissions from the Propylene Refrigeration Compressor, the Process Gas Compressor, and the Ethylene Refrigeration Compressor sour oil vents from olefins unit in the NSR Permit Application dated October 13, 2003.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT 18978 & PSD-TX-752M3 SC NO.13E
Description: Failure to cap or plug 64 open ended lines in the olefins unit.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(C)
Description: Failure to report some instances of deviations in the olefins unit in the report dated July 21, 2004. The regulated entity submitted these deviations on October 1, 2004.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT 18978 & PSD-TX-752M3, SC 16E
Description: Failure to include the details regarding the CEMS down times (date, time, and nature of the system repairs) in the quarterly reports when CEMS down time exceeded more than 5% of the operating time as required by 40 CFR 60.7(c)(3) in the olefins unit for third quarter of 2004.
Date: 08/10/2005 (402106)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA TCEQ Air Permit #18978, SC#1
Description: Failure to prevent a pinhole leak on the propylene dryer inlet drain piping.
Date: 08/19/2005 (404431)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA TCEQ Air Permit No. 19109, SC#1
Description: Failure to prevent an avoidable emissions event.
Date: 08/24/2005 (392722)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PA TCEQ Air Permit #4477, SC#1
Description: Failed to prevent the C4202 secondary compressor shutdown which caused excess emissions.

Date: 09/30/2005 (492906)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 11/30/2005 (492908)

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 12/31/2005 (492909)

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter
Date: 01/20/2006 (439064)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT NSR 4477, SC 2
OP O-02225, SC 11A
Description: It was determined that Equistar failed to maintain the maximum production rate at the ABIII Unit on January 1, 2005.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(5)[G]
Rqmt Prov: OP O-02225, SC 1A
Description: It was determined that Equistar failed to check the sensors for six pumps on January 22, 2005. This constitutes a violation of 40 CFR 60.482-2(d)(5)(I).

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
Rqmt Prov: PERMIT NSR 4477, SC 9E
OP O-02225, SC 11A
OP O-02225, SC 1A
Description: It was determined that Equistar failed to equip open-ended lines with a second valve, cap, or plug on 64 occasions in the fugitive area (L3FUG). This constitutes a violation of 30 TAC 115.352(4), 115.783(5), and 116.115(c), and 40 CFR 60.482-6(a)(1).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
Rqmt Prov: PERMIT NSR 5836, SC 1E
OP O-02225, SC 1A & SC 11A
Description: It was determined that Equistar failed to equip open-ended lines with a second valve, cap, or plug on 26 occasions in the fugitive area (MRUFUG). This constitutes a violation of 30 TAC 115.352(4), 115.783(5), and 116.115(c), and 40 CFR 60.482-6(a)(1).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)
30 TAC Chapter 116, SubChapter B 116.110(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)

Description: It was determined that Equistar failed to satisfy the conditions of Permitted-by-Rule (PBR) 106.261 for the installation of a propylene seal pot in the ABIII Unit. This constitutes a violation of 30 TAC 116.110(a)(4).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT NSR 4477, SC 1
OP O-02225, SC 1A & 11A

Description: Equistar failed to properly maintain VOC emissions from storage silos(L3SILOS) in the ABIII Unit on the following three occasions: 1,134 ppm on 10/8/04, 1,127 ppm on 4/11/05, and 1,158.6 ppm on 8/9/05.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT NSR 4477, SC 7B
OP O-02225, SC 11A

Description: It was determined that Equistar failed to continuously monitor the presence of flare pilot flames for the flare (L3Flare) on May 26 & 27, 2005. This constitutes a violation of 30 TAC 116.115(c).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.146(1)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP O-02225, SC 5A

Description: It was determined that Equistar failed to maintain records on industrial wastewater streams as needed to demonstrate compliance with 30 TAC 115.142. This constitutes a violation of 30 TAC 115.146(1).

Date: 01/20/2006 (439066)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.213(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SC 1A

Description: failure to monitor NOx emissions for Boilers G and H on 18 occasions

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: OP SC 1A

Description: It was determined that Equistar failed to equip two open-ended lines with caps/plugs. This constitutes a violation of 30 TAC 115.352(4), 30 TAC 115.783(5), and 40 CFR 60.482-6(a)(1).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SC 1A

Description: Equistar failed to operate diesel engines outside of the restricted hours between 6:00 a.m. and noon on two occasions. This constitutes a violation of 30 TAC 117.206(i).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter H 101.359(a)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SC 1A

Description: Equistar failed to submit NOx ECT-1 Annual Report for Boilers G and H, and Polymers Diesel Engines by the deadline of March 31, 2005. This constitutes a violation of 30 TAC 101.359(a).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.216(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: OP SC 1A

Description: It was determined that Equistar failed to submit NOx Final Report Plan for Boilers G and H, and Polymers Diesel Engines by the deadline of March 31, 2005. This constitutes a violation of 30 TAC 117.216(c).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT SC 1
OP SC 8

Description: It was determined that Equistar failed to properly maintain CO emissions from

Boiler G on September 26, 2005. This constitutes a violation of 30 TAC 116.115(c).

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
Rqmt Prov: PERMIT SC 1
OP SC 8
Description: It was determined that Equistar failed to properly maintain CO emissions from Boiler H on April 5 and 12, 2005. This constitutes a violation of 30 TAC 116.115(c).

Date: 03/17/2006 (454588)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(e)(4)(B)(ii)
Description: Violation of 117.213 (e)(4)(B)(ii). Failed to operate the CEMS system in a time shared mode while conducting CEMS RATA.

Date: 03/17/2006 (454029)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No. 19109, Special Condition No. 1
Description: Equistar failed to prevent an avoidable emissions event.

Date: 03/17/2006 (454636)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.213(e)(4)(B)(ii)
Description: Violation of 117.213 (e)(4)(B)(ii). Failed to operate the CEMS system in a time shared mode while conducting CEMS RATA.

Date: 08/29/2006 (458894)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 111, SubChapter B 111.205(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Equistar failed to provide fire training notification for the training that occurred on October 6, 2004.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(8)(A)
5C THC Chapter 382, SubChapter A 382.085(b)
Description: Equistar failed to maintain visible emissions from a portable diesel lighting system south of AB3 flare within the 30% opacity limit on October 23, 2004.

Date: 10/31/2006 (551952)

Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]
Description: Failure to meet the limit for one or more permit parameter

Date: 11/16/2006 (519602)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PA TCEQ Permit #18978, SC#1
Description: Failure to prevent the unauthorized emissions of HRVOC and VOC from the decoking drum.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
Description: Failure to include the permit number in the final report.

Date: 12/18/2006 (517871)

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failure to perform the manganese oxide correction analysis.

Date: 02/16/2007 (532610)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)[G]
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02225, Special Condition 1.H
Description: Failure to install a continuous monitoring system for pressure relief valve V4229RV1.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.783(5)

30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 5836, Special Condition 4E
 Description: Failure to seal open-ended lines containing volatile organic compounds.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter C 115.216(3)(A)[G]
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02225, Special Condition 1.A.
 Description: Failure to maintain appropriate records of a land based volatile organic compound (VOC) transfer to a transport vessel.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02225, Special Condition 8.A.(i)
 Description: Failure to ensure a tank-truck being filled with VOCs had a current annual leak test.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 4477, Special Condition 3
 OP O-02225, Special Condition 11.A
 Description: Failure of preventing the exceedence of the production limit as listed in Table 2 of the confidential section of the permit application. (CATEGORY B19.g.1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 4477, Special Condition 9F
 OP O-02225, Special Condition 11.A
 Description: Failure to conduct valve monitoring for three consecutive quarters.
 Date: 02/27/2007 (532609)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to analyze the HRVOC concentrations in the ARU flare (EPN: QE3050B) flare header gas. (B.19.g.1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)[G]
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(d)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02223, Special Condition 1.A.
 Description: Failure of not repairing pumps seals within the six month deadline. (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02223, Special Condition 1.A.
 OP O-02223, Special Condition 13.A.
 PERMIT Permit 18978/PSD-TX-752M3, SC 13.H.
 Description: Failure to place leaker tags on equipment designating it as leaking components.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(d)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02223, Special Condition 1.A.
 Description: Failure to identify fugitive components on tubing/piping associated with a sampling system in "benzene" service. (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02223, Special Condition 1.A.
 OP O-02223, Special Condition 13.A.

Description: PERMIT Permit 18978/PSD-TX-752M3, SC 13.E.
 Failure to seal open-ended lines in HRVOC and VOC service.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)(5)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit the CEMS downtime report in a timely manner.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to keep the degreaser lid closed.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter C 115.214(a)(1)(C)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, Special Condition 6.A.(I)
 Description: Failure to ensure trailers being filled with VOCs had a current annual leak test.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(II)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, Special Condition 1.A.
 Description: Failure to ensure the net heating value of flare QE8050B did not drop below 300 Btu/scf.
 (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(c)(2)

Description: Failure to ensure the wastewater met the 10 ppm standard. (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.214(b)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to stack test six diesel air compressors and one diesel engine pump. (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, Special Condition 13.A.
 Description: PERMIT Permit 18978/PSD-TX-752M3, SC 1
 Failure to ensure two diesel engines did not exceed the permitted tons/year allowable.
 (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, General Terms and Conditions
 Description: Failure to include two compressors in the MAERT as emission points. (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, Special Condition 3.A.(I)
 Description: Failure to prevent the exceedance of the opacity limit for the MAPD decoking process.
 (B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, Special Condition 13.A.
 Description: PERMIT Permit 18978/PSD-TX-752M3, SC 1
 PERMIT Permit 18978/PSD-TX-752M3, SC 3.B.
 Failure to prevent the exceedance of permitted allowables for Furnaces 1, 4, 5, 7, 8,
 and 9. (Category B19.g.(1))
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02223, SC 13.A.
 Description: PERMIT Permit 18978/PSD-TX-752M3, SC 1
 PERMIT Permit 18978/PSD-TX-752M3, SC 2.B.
 PERMIT Permit 18978/PSD-TX-752M3, SC 3.B.
 Failure to prevent the exceedance of permitted allowables for Boilers A and B.
 (B19.g.(1))

Date: 04/04/2007 (542370)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA Permit #4477, Special Condition #1		
Description:	Failure to prevent unauthorized emissions of ethylene, particulate matter, and vinyl acetate/		
Date:	04/05/2007 (542368)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA TCEQ Permit #4477, Special Condition #1		
Description:	Failure to prevent the unauthorized emission of ethylene.		
Date:	05/24/2007 (558701)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PA Permit #18978		
Description:	Failure to prevent the unauthorized emissions of HRVOC and VOC.		
Date:	07/09/2007 (532634)		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 19109, SC 6A OP Title V Permit O-01606, SC 1A & SC 9A		
Description:	failed to maintain the heating value of the gas being combusted being 300 Btu/scf or greater in the Q-1 Flare (HSFLARE) on December 11, 2005.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(2)[G] 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V Permit O-01606		
Description:	failed to properly perform the initial calibration of the highly reactive volatile organic compounds (HRVOC) analyzer for the Q-1 Flare by January 31, 2006, and also failed to perform daily calibrations until March 17, 2006.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.764(a)(6) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V Permit O-01606, SC 1A		
Description:	failed to properly perform the initial calibration of the highly reactive volatile organic compounds (HRVOC) analyzer for the cooling tower (Q1CT) until March 30, 2006, and also failed to perform daily calibrations on April 9 and 10, 2006.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter H 115.725(c)(1)[G] 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V Permit O-01606, SC 1A		
Description:	failed to install a continuous monitoring system to determine status of relief valves and duration of pressure relief events for pressure relief valves (HRVOC PSV) on the butene unloading system: PSV-R1779, PSV-R724, and PSV-J781RV.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	OP Title V Permit O-01606, SC 1A		
Description:	failed to maintain operating limits established during the HRVOC emission test on four occasions.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 115, SubChapter H 115.783(5) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Rqmt Prov:	PERMIT NSR Permit 19109, SE 12E OP Title V Permit O-01606, SC 1A & 9A		
Description:	failed to equip open-ended lines with a plug or second valve on two occasions.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)		

Rqmt Prov: 5C THC Chapter 382, SubChapter D 382.085(b)
 PERMIT NSR Permit 19109, SC 1
 OP Title V Permit O-01606, SC 9A
 Description: failed to maintain VOC emissions from railcar unloading to storage.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT NSR Permit 19109, SC 7D
 OP Title V Permit O-01606, SC 9A
 Description: failed to continuously monitor the incinerator stack oxygen concentration on October 4, 2005.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT NSR Permit 19109, SC 8
 OP Title V Permit O-01606, SC 9A
 Description: failed to perform the required cylinder gas audit (CGA) on the oxygen analyzer by March 31, 2006.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT NSR Permit 19109, SC 2
 OP Title V Permit O-01606, SC 9A
 Description: failed to limit the volatile organic compounds (VOC) content in the polyethylene powder exiting the product purge bin to 100 ppm by weight on October 31, 2005.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT NSR Permit 19109, SC 1
 OP Title V Permit O-01606, SC 9A
 Description: failed to maintain NOx emissions from the Q-1 Flare (HSFLARE) within the limit of 0.50 lb/hr.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT NSR Permit 19109, SC 9
 OP Title V Permit O-01606, SC 9A
 Description: failed to maintain a sock filter on the powder feeder hopper on April 8, 2006.

F. Environmental audits.

Notice of Intent Date: 02/03/2003 (33159)
 No DOV Associated

Notice of Intent Date: 12/05/2003 (263141)
 No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
EQUISTAR CHEMICALS, LP
RN100210319**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0938-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Equistar Chemicals, LP ("Equistar") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Equistar presented this agreement to the Commission.

Equistar understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Equistar agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Equistar.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. Equistar owns and operates a chemical plant at 1515 Miller Cut Off Road in La Porte, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on April 20, 2006, TCEQ staff documented that on December 13, 2005, Equistar failed to prevent excessive vibration and the rupture of pressure safety valve ("PSV") inlet piping which was connected to an associated header line in the Olefins Manufacturing Unit. The piping failure resulted in the release of 9,900 pounds ("lbs") of ethylene from ruptured piping and 2,981 lbs of volatile organic compounds ("VOC"), 8,368 lbs of carbon monoxide, and 1,610 lbs of nitrogen oxides from the main elevated flare during an event that lasted two hours. Staff also determined that this release was an excessive emissions event; therefore, the affirmative defense in 30 TEX. ADMIN. CODE § 101.222 is not applicable.
4. During a record review on April 13, 2007, TCEQ staff documented that on March 4, 2007, Equistar failed to prevent secondary compressor cylinder vibration at the AB-III Polyethylene Unit which led to the compressor shutdown and the unauthorized emissions of 1,201.32 lbs of ethylene, 124.56 lbs of particulate matter, 18.39 lbs of propylene and 64.77 lbs of vinyltrimethoxysilane from reactor vents during an event which lasted 27 minutes. Equistar also exceeded the one-hour highly-reactive VOC ("HRVOC") emission cap of 1,200 lbs when 1,219.71 lbs of ethylene and propylene, both HRVOC, were released in 27 minutes. Equistar failed to identify the underlying cause or contributing factors leading up to the emissions event. Equistar failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 because it could not be determined whether the event was unavoidable.
5. Equistar received notices of the violations on May 14, 2007 and June 4, 2007.
6. The Executive Director recognizes that Equistar has implemented the following corrective measures at the Plant for the December 13, 2005 incident:
 - a. On March 20, 2006, modified the unit start-up procedure to prevent blocked-in and contained ethylene in PSV piping;
 - b. On March 25, 2006, added pipe supports to eliminate excessive vibration and performed liquid penetrant inspection on similarly designed tie-in points of thermal relief valves on the feed and product lines;
 - c. On December 13, 2006, reviewed and revised the unit process hazard analysis/relief valve sizing to verify adequate sizing of relief valves and shared incident findings and hazard recognitions with all operation shifts; and
 - d. On July 2, 2007, submitted a Corrective Action Plan ("CAP") to the TCEQ Houston Regional Office which was approved on August 28, 2007. The plan had been completed before it was approved.

II. CONCLUSIONS OF LAW

1. Equistar is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, Equistar failed to control unauthorized emissions on December 13, 2005, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(c), Permit No. 18978/PSD-TX-752M3, Special Condition ("SC") No. 1, TEX. HEALTH & SAFETY CODE § 382.085(b).
3. As evidenced by Findings of Fact No. 4, Equistar failed to control unauthorized emissions on March 4, 2007, in violation of 30 TEX. ADMIN. CODE §§ 115.722(c)(1), 116.115(c), Permit No. 4477, SC No. 1, TEX. HEALTH & SAFETY CODE § 382.085(b).
4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Equistar for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of Fifty Thousand Dollars (\$50,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. Equistar has paid Twenty-Five Thousand Dollars (\$25,000) of the administrative penalty, and Twenty-Five Thousand Dollars (\$25,000) shall be conditionally offset by Equistar's completion of a Supplemental Environmental Project.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Equistar is assessed an administrative penalty in the amount of Fifty Thousand Dollars (\$50,000) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Equistar's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2007-0938-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Equistar shall implement and complete a Supplemental Environmental Project ("SEP") in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 5, Twenty-Five Thousand Dollars (\$25,000) of the assessed administrative penalty shall be offset with the condition that Equistar implement the SEP defined in Attachment A, incorporated herein by reference. Equistar's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. Equistar shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement improvements to designs, operations, and/or maintenance practices that address the causes leading to the March 4, 2007 emissions event and are designed to prevent recurrence of same or similar incidents; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision No. 3.a. The certification shall include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify that under the penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

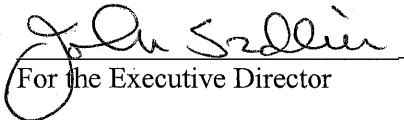
Manager, Air Section
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon Equistar. Equistar is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If Equistar fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Equistar's failure to comply is not a violation of this Agreed Order. Equistar shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Equistar shall notify the Executive Director within seven days after Equistar becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Equistar shall be made in writing to the Executive Director. Extensions are not effective until Equistar receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Equistar if the Executive Director determines that Equistar has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against Equistar in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

11/22/2008
Date

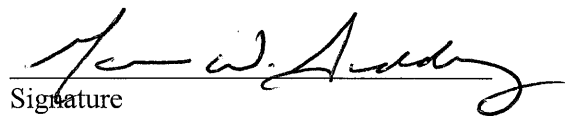
I, the undersigned, have read and understand the attached Agreed Order in the matter of Equistar Chemicals, LP. I am authorized to agree to the attached Agreed Order on behalf of Equistar Chemicals, LP, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Equistar Chemicals, LP waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

10-25-07
Date

Marcus W. Gaddy
Name (Printed or typed)
Authorized Representative of
Equistar Chemicals, LP

Plant Manager
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

[illegible]

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Attachment A
Docket Number: 2007-0938-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Equistar Chemicals, LP
Payable Penalty Amount:	Fifty Thousand Dollars (\$50,000)
SEP Amount:	Twenty-Five Thousand Dollars (\$25,000)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program
Location of SEP:	Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent will contribute to Houston-Galveston AERCO's Clean Cities/Clean Vehicles Program in Harris County. The contribution will be used in accordance with the *Supplemental Environmental Project Agreement between the Houston-Galveston AERCO and the Texas Commission on Environmental Quality*.

SEP monies will be used to aid local school districts and area transit agencies in reaching local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP monies will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. Those SEP monies will be used exclusively by the school districts and transit agencies as supplements to meet the local match requirements of the EPA. SEP monies will be used to pay for the cost of replacing older diesel buses with alternative fueled or clean diesel buses. The old buses will be permanently retired and only sold for scrap. The schools and transit agencies will also use the SEP monies to retrofit more buses to reduce emissions. Houston-Galveston AERCO will send the TCEQ verification in the form of paid invoices and other documentation to show that the retrofits were completed. Retrofit technologies include particulate matter traps, diesel particulate matter filters, NOx reduction catalyst technology in combination with diesel particulate filters, and other emission control technologies that are developed and approved by EPA or the California Air Resources Board.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing particulate emissions on buses by more than 90% below today's level and reducing hydrocarbons below measurement capability.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, Texas 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

